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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000381

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KJUS](#) [PBTS](#) [IZ](#)
SUBJECT: UPDATE #3: BARZANI EXTENDS DEADLINE FOR RELEASE OF
REMAINING DETAINEES

Classified By: Political Counselor Yuri Kim for reasons 1.4 (b) and (d)

11. (C) SUMMARY. Approximately 90 minutes before the February 11 deadline set by the Kurds to withdraw from the Ninewa Combined Check Points (CCPs) and block the roads north of Mosul to the Kurdistan Region, KRG President Barzani was persuaded to extend the deadline to February 13 to allow time for the release of the nine remaining detainees. Key leader engagements by Senior Advisor to Northern Iraq (SANI), PRTs Mosul and Kirkuk, Embassy, and USF-I helped convince Barzani to allow time for the legal process to play out and pressed PGOV Nujaifi to facilitate, insofar as possible, the legal process to release the detainees. Even though Barzani extended the deadline, he did not rescind it. The KRG leadership consistently characterizes the detention of the 11 civilians (10 Kurdish) following Nujaifi's February 1 travel to Tal Kayf and Wanna as an humiliation of the Kurdish people. With the story dominating Kurdish language press, three weeks before the elections, obtaining the release of the detainees has become a highly politicized matter honor for Barzani and his Kurdish Democratic Party (KDP). END SUMMARY.

SANI ENGAGEMENTS

12. (C) Before leaving for meetings in Erbil for Mosul, SANI met separately with KRG Interior Minister Karim Sinjari and Kurdish Parliamentary Speaker Kamal Kirkuki to underscore the importance of Kurdish participation in an After Action Review (AAR) and early return of peshmerga liaison officers (LNOs) to the Ninewa Operations Center (NOC) and Ninewa Combined Command Center (NCC). Highlighting intensive U.S. focus on the welfare of the 11 detained in connection with the February 11 attack on Ninewa PGOV Nujaifi's convoy, he urged patience to allow legal processes to continue moving in a positive direction. SANI also drew attention to the positive impact of KRG President Barzani's recent visit to Washington. The KRG interlocutors rejected the applicability of rule-of-law standards to the detainee issue, insisting they are victims of a "kidnapping" orchestrated by Nujaifi. Kirkuki and Sinjari repeated the threat of action on the ground "a cutoff of overland traffic between Ninewa Province and the KRG provinces of Dohuk and Erbil" if all 11 detainees were not released by midnight February 11. SANI warned the KRG interlocutors against taking any such escalatory step, stressing it would not help the detainees and could precipitate further negative repercussions.

DPM ISSAWI

13. (C) Following representations by PolCouns, Deputy PM Rafe al-Issawi reported the morning of February 12 that he had met PGOV Nujaifi in Amman and that Nujaifi had agreed to facilitate the release of the majority of the remaining nine detainees on Sunday, insofar as legally possible. Responding

to Issawi's strong request for the release of all nine detainees on Sunday, Nujaifi agreed to seek the earliest release of the one detainee determined to be innocent, then by Sunday release the of majority of the others (whose cases might be questionable), and bail for the remaining 2-3 who might be charged. PolCouns reinforced that rule-of-law should play out, but that it would be helpful for Nujaifi to expedite implementation of any court-ordered releases.

USF-I ENGAGEMENTS

14. (C) Special Advisor to CG (CGSA) spoke numerous times Q4. (C) Special Advisor to CG (CGSA) spoke numerous times throughout the day with KRG Chief of Staff Fuad Hussein, assuring him that the CG was committed to helping see the detainee issue resolved, that the legal process should be allowed to play out, and that USF-I CG was in contact with the Nujaifi brothers (PGOV Atheel and MP Osama). She urged the Kurds to stay calm and reiterated that threats of deadlines and cutting off roads would help to resolve the detainee issues, but rather would increase U.S.-KRG tensions. In answer to KRG President Barzani's inquiry that the CG's had letter made no mention of the detainees, CGSA stated that while the United States would work to help resolve the issue, it assumed no responsibility for the detainee issue.

15. (C) Communication with the Nujaifi brothers mirrored what local KDP leaders reported in Mosul and Tal Kayf. and what the PRT confirmed, that Assayesh had released the two Sunni Sheikhs from Wanna who had served as witnesses against the 11 Wanna detainees. Both Nujaifis told CGSA that the Sheikhs' detention was a major political issue that could have blocked

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the legal process for the 11 Wanna detainees. CGSA conveyed that the CG urged both Nuajifis to support the court's anticipated decision to the release (on bail) of the 9 remaining detainees.

16. (C) According to KRG COS Fuad Hussein, on the basis of assurances from the USG and the day's actions, he and KRG Special Envoy Nechirvan Barzani had been able to convince President Barzani to delay his order to Sinjari to cut off Mosul from the KRG at 0600 on February 12. Hussein told CGSA that Barzani delayed the deadline out in consideration of his friendship with the CG and the Ambassador.

17. (C) COMMENT: The extension of the deadline as an extension and not rescission. Kurdish leadership repeatedly characterizes the events in Ninewa as a humiliation of the Kurdish people. Now that the events have been featured in the Kurdish press, three weeks before the elections, the release of the detainees has become a highly politicized matter honor for Barzani and his Kurdish Democratic Party. END COMMENT.
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